

Federation of Saskatchewan
Indian Nations -
Special Investigations Unit (SIU)

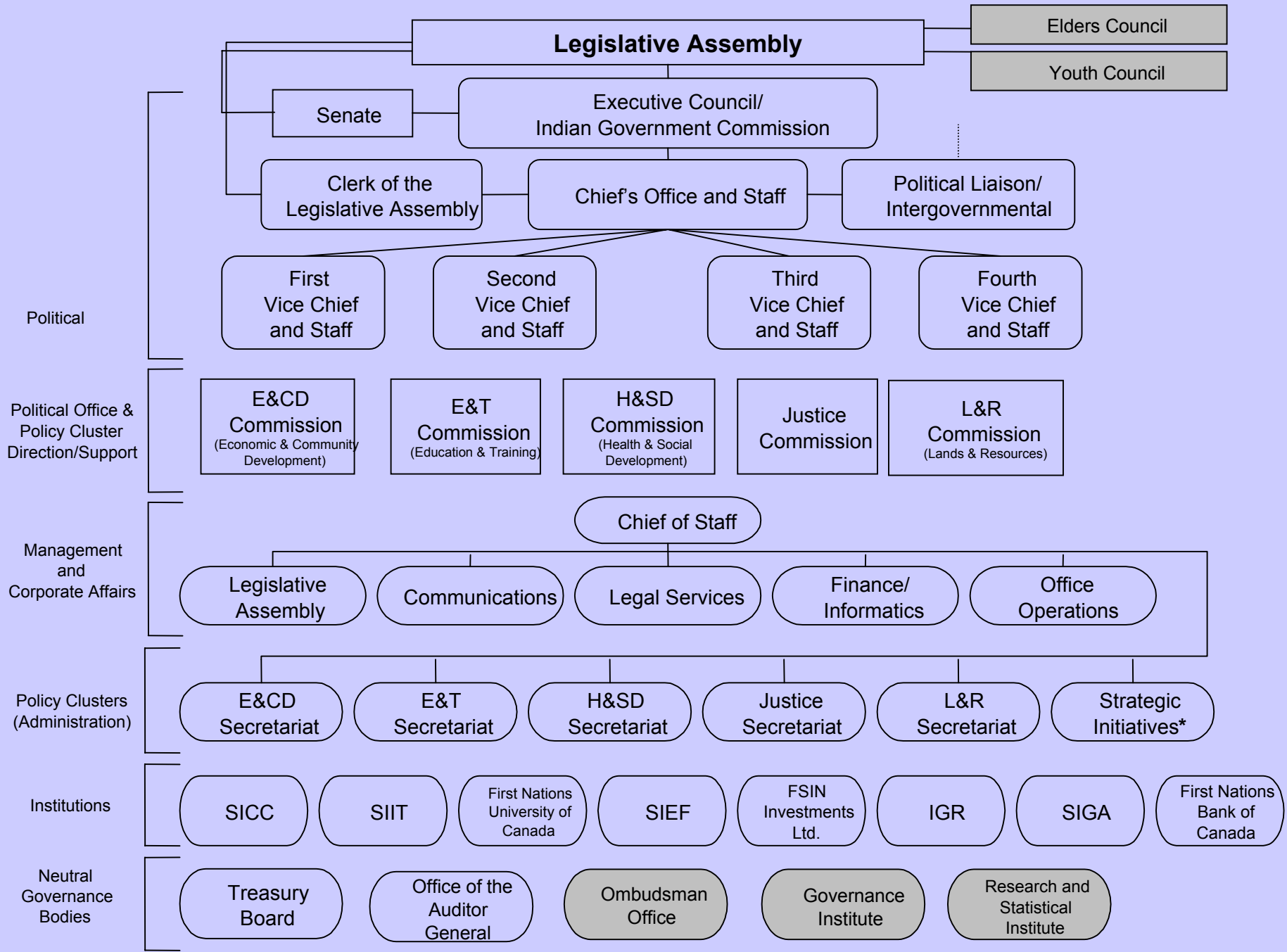
CACOLE Conference

June 26, 2004



FSIN Overview

- ❖ Long history of political organizing (1919-1946)
- ❖ Formed in 1946 as the Union of Saskatchewan Indians.
- ❖ In 1958, the Union re-organized to become the Federation of Saskatchewan Indians (FSI); renamed as the FSIN in 1982.
- ❖ Primary objective is the promotion, protection, and implementation of Treaty Rights.



* includes: Veterans, Women's Council, Corporate Circle, Treaty Governance Processes, etc.



Vetting and Decision-Making Process

Issue of **FROZEN BODIES** brought forward to Justice **Secretariat** office.

Issue analyzed and discussed with **Vice Chief**. Motion and briefing note developed for Commission.

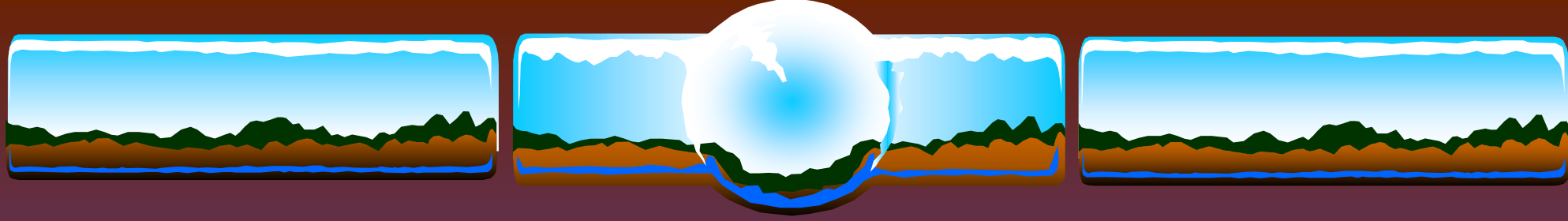
Issue brought forward to Indian Justice **Commission**.
Motion adopted by Commission to be forwarded to Legislative Assembly.

If issue has financial ramifications, it is brought forward to **Treasury Board** for review/approval.
Draft motion forwarded to **Joint Executive Council/Indian Government Commission**

or

If issue does not have financial ramifications, draft resolution brought directly to **Joint Executive Council/Indian Government Commission** for review.

Draft Resolution introduced to **Legislative Assembly** during Vice Chief's report.
Discussion of issue and voting on resolution by **Chiefs**.



Special Investigations Unit

Origins and Overview



Origins

- ❖ January 19, 2000: Lloyd Dustyhorn is found frozen just hours after his release from police custody.
- ❖ January 28, 2000: Darrel Night is dropped off near the Saskatoon Power Plant by two SPS members in below zero weather.
- ❖ January 29, 2000: Rodney Naistus is found frozen near the Power Plant.
- ❖ February 3, 2000: Lawrence Wegner is found frozen near the Power Plant.
- ❖ February 7, 2000: Darrel Night goes public that 2 SPS dropped him off. Police Chief Dave Scott identifies the two Police members.



Origins cont'd

- ❖ FSIN Justice established a Help-line to receive calls of similar incidents involving police. Overwhelmed with calls, the Help-line was shut down shortly thereafter due to lack of funds.
- ❖ Sask. Justice ordered formation of a Task Force made up of RCMP members.
- ❖ FSIN Justice Commission met with the Task Force; the chiefs told the RCMP directly that *they did not trust them to do a proper investigation*.
- ❖ Justice Commission Chiefs directed FSIN Justice to hire outside investigators.



Origins cont'd

- ❖ March 2000 - FSIN Chief Perry Bellegarde and Vice-Chief Lawrence Joseph met with 2 private investigators about these cases.
- ❖ Investigators officially began their work in April 2000.
- ❖ At the same time, the Help-line was re-activated, and the investigators began responding to calls received.
- ❖ Saskatchewan chiefs collectively provided start-up funding for SIU: \$298,000.



Mandate

- ❖ To provide First Nations members who have been mistreated by law enforcement officers with a complainant-friendly alternative to mainstream offices of public complaints;
- ❖ To ensure that complaints are investigated thoroughly and that complainants are apprised accordingly; and
- ❖ To provide complainants with such protection from retaliation or other discomfort as required.



Guiding Principle

Each complainant owns his or her experience, and has the right to determine how information is forwarded.

No steps will be taken without the authorization of the complainant.



Establishing Credibility...

❖ **With First Nations:**

- ❖ Maintaining First Nation status of SIU staff
- ❖ Hiring Staff with Investigations background
- ❖ Utilizing community members for introductions and assistance with cultural sensitivities and language barriers

❖ **With Police forces & Government Agencies:**

- ❖ RCMP Policing experience of Senior Investigator
- ❖ Senior Investigator's police contacts/network



Operational Approach

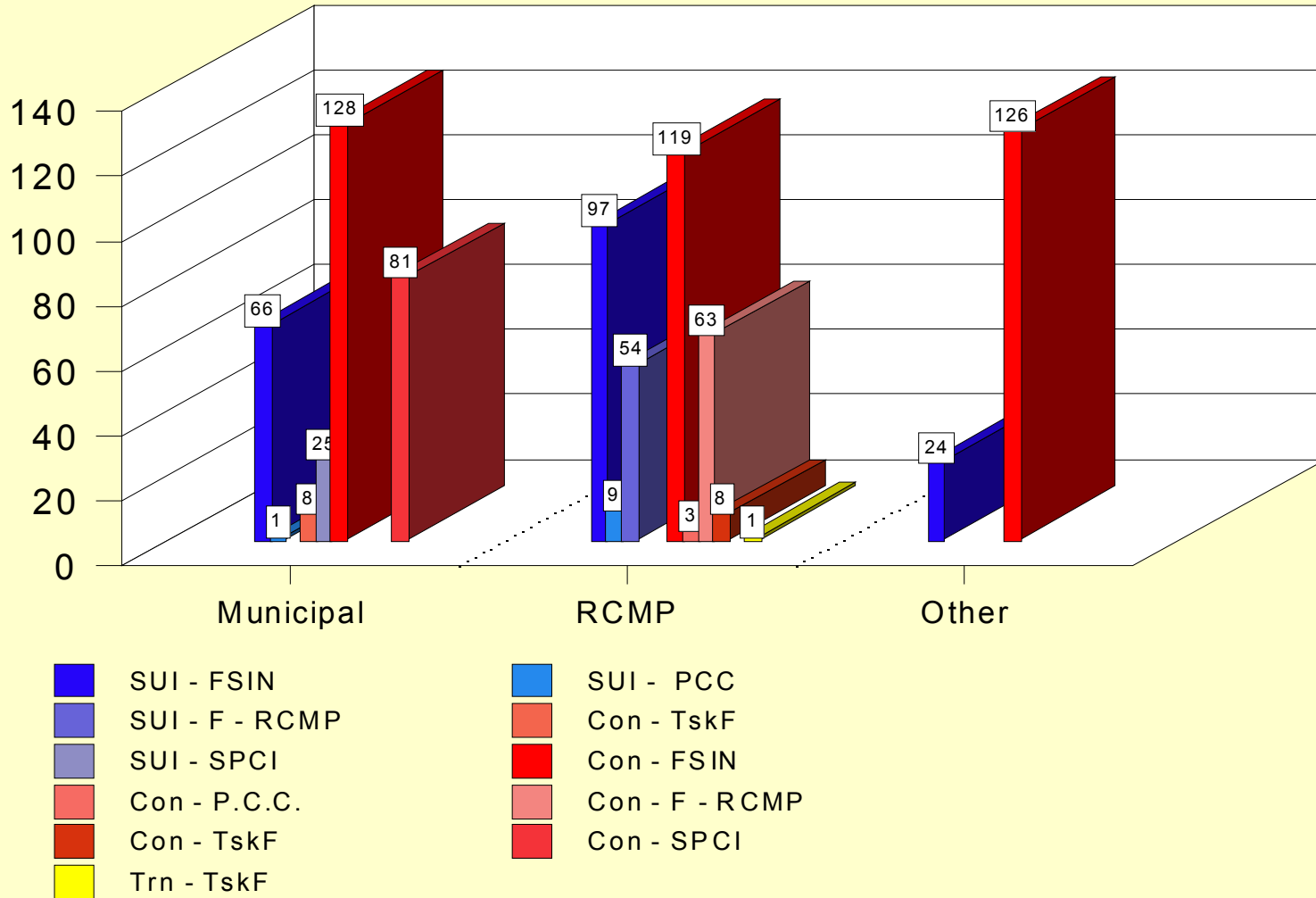
- ❖ Ensure complainants understand available avenues of due process
- ❖ Accessible after hours, when necessary
- ❖ Travel to location of complainant, in town and elsewhere in province
- ❖ Use community members for translation, protocols
- ❖ Provide comfortable environment for disclosing complaint
- ❖ Act as liaison between police & complainant



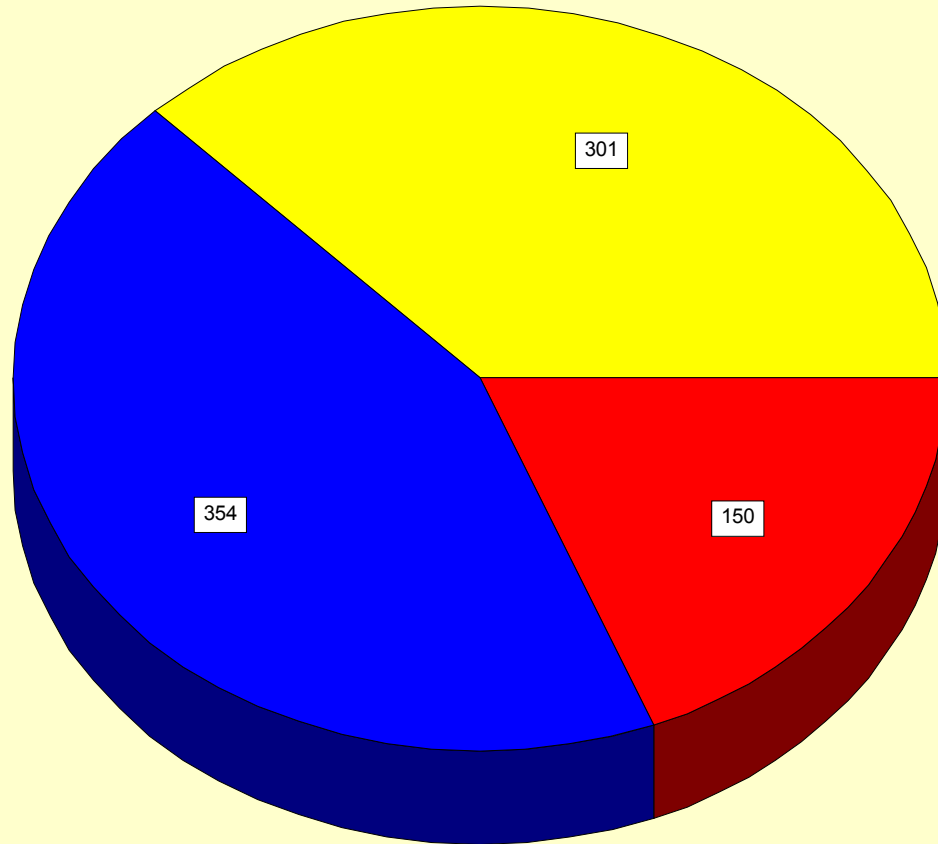
Challenges




- ❖ Under-resourced - financial and human
- ❖ Unable to access completely files under investigation
- ❖ High mobility/migration of some complainants
- ❖ Skepticism & apprehension of complainants based on perceptions and experiences
- ❖ Maintaining trust of police liaisons, unions

FSIN Special Investigations Unit Statistics Report as of June 22, 2004



FSIN Special Investigations Unit Statistics Report as of June 22, 2004



 Municipal  RCMP  Other



Indicators of Success

- ❖ Established trust and credibility—First Nations people have faith in SIU
- ❖ General co-operation of police
- ❖ Established working relationship with senior police officials
- ❖ Anecdotes of better police response
- ❖ Empowerment of First Nations citizens—know they will be believed, are willing to affirm their rights with police



Indicators of Success cont'd

- ❖ Coroner's inquests improved for First Nation People:
 - ❖ Equal jury representation
 - ❖ More prudent investigation
 - ❖ Fees for families' legal representation
- ❖ SIU's work led to creation of justice inquiry process in province
- ❖ Justice Inquiry Commissioners have confidence to work officially with SIU
- ❖ Positive media response



Long-term Goals

- ❖ Establish permanent complainant-friendly process for First Nation Peoples
- ❖ This process would have to involve civilians directly in investigations
- ❖ All police agencies should fall under one umbrella internal complaints process